

INCOMING TELEGRAM

Department of State

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Action

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Info

FROM: GENEVA

TO: Secretary of State

NO: SECTO 66, MARCH 19, MIDNIGHT

PRIORITY

EYES ONLY FOR PRESIDENT AND ACTING SECRETARY

FOLLOWING IS UNOFFICIAL TRANSLATION OF TEXT OF PAPER HANDED
SECRETARY BY GROMYKO REFERRED TO IN IMMEDIATELY PREVIOUS
TELEGRAM.

DEPARTMENT OF STATE A/CDC/MR

REVIEW

JUN 26, 1971

BEGIN TEXT

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GENERAL PRINCIPLES

1. THE PARTIES PROCEED FROM THE FACT THAT THE SOVIET UNION, TOGETHER WITH A NUMBER OF OTHER STATES, WILL CONCLUDE A PEACE TREATY WITH THE GDR, AND THAT WHEN THE PEACE TREATY IS SIGNED, ACCOUNT WILL BE TAKEN OF THE PROVISIONS ON OTHER MATTERS AGREED BY THE PARTIES IN ADVANCE, AS SET FORTH BELOW.

2. WEST BERLIN WITHIN ITS PRESENTLY EXISTING BOUNDARIES WILL BE DECLARED A FREE DEMILITARIZED CITY. THE PARTIES WILL DEVELOP THEIR RELATIONS WITH WEST BERLIN AS WITH AN INDEPENDENT POLITICAL ENTITY.

WEST BERLIN SHALL BE FREE TO CHOOSE ITS WAY OF LIFE, THE PARTIES UNDERTAKING TO RESPECT THE SOCIAL ORDER THAT HAS TAKEN SHAPE THEREIN.

THE OCCUPATION REGIME IN WEST BERLIN WILL BE TERMINATED.

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ACTION ASSIGNED TO: EUR	DATE OF ACTION: 20 Mar	DIRECTION: File
NAME OF OFFICER: GER-72	DATE OF ACTION: 20 Mar	DIRECTION: File
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GENEVA SECTO-66

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THE PARTIES ARE IN AGREEMENT THAT NO INTERFERENCE MUST BE ALLOWED IN THE INTERNAL AFFAIRS OF WEST BERLIN, AND THAT RESPECT FOR THE BASIC RIGHTS AND FREEDOMS OF THE CITIZENS OF THE CITY MUST BE ASSURED, AND THAT IT IS THE INALIENABLE RIGHT OF WEST BERLIN TO FREELY ESTABLISH FOREIGN TRADE, SCIENTIFIC, CULTURAL, AND OTHER NON-MILITARY TIES WITH ANY STATE, AS WELL AS TO DESIGNATE AND RECEIVE DIPLOMATIC, CONSULAR, AND OTHER REPRESENTATIVES, EXCEPT FOR MILITARY ONES.

THE NEED IS ALSO RECOGNIZED TO PRESERVE THE VIABILITY OF WEST BERLIN, AND TO PROMOTE THE STABILITY AND PROSPERITY OF ITS ECONOMY, AND THE FULL EMPLOYMENT AND WELFARE OF ITS CITIZENS.

WEST BERLIN WILL NOT TAKE PART IN ANY AGREEMENTS OR ALIGNMENTS OF A MILITARY OR MILITARY-POLITICAL NATURE WHATSOEVER, AND WILL PURSUE A POLICY OF NEUTRALITY.

THE PARTIES ARE IN AGREEMENT THAT WEST BERLIN WILL NOT ALLOW THE EXISTENCE OF ORGANIZATIONS, OR ANY ACTIVITY OF A FASCISTIC OR MILITARISTIC NATURE, INCLUDING THE PROPAGANDA OF WAR AND REYANCHISM.

3. IN CONNECTION WITH THE ABOLITION OF THE OCCUPATION REGIME IN WEST BERLIN, THE OCCUPATION TROOPS OF THE UNITED STATES, THE UNITED KINGDOM, AND FRANCE WILL BE REPLACED BY TOKEN CONTINGENTS OF TROOPS OF THE UNITED NATIONS, OR OF NEUTRAL STATES, WHICH WILL REMAIN IN WEST BERLIN FOR A PERIOD OF TIME SPECIFIED BY THE PARTIES (3 TO 5 YEARS).

4. IN THE TRANSIT OF CIVILIANS AND FREIGHT THE FREE CITY OF WEST BERLIN WILL BE ASSURED OF THE RIGHT OF UNRESTRICTED COMMUNICATION WITH THE OUTSIDE WORLD IN ACCORDANCE WITH GENERALLY ACCEPTED STANDARDS OF INTERNATIONAL LAW AND SUBJECT TO THE NORMAL RULES AND FORMALITIES APPLIED IN TRANSIT ACROSS THE TERRITORY OF SOVEREIGN STATES. SUCH ACCESS TO WEST BERLIN WILL BE ASSURED ON THE BASIS, ON THE ONE HAND, OF RESPECT FOR THE SOVEREIGN RIGHTS OF THE

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GERMAN DEMOCRATIC REPUBLIC THROUGH THE TERRITORY OF WHICH RUN THE ROUTES OF SUCH ACCESS, AND, ON THE OTHER, OF THE OBSERVANCE OF THE UNRESTRICTED TRANSIT OF FREIGHT AND PERSONS BY LAND, WATER, AND AIR, UNDER APPROPRIATE AGREEMENTS WITH THE GDR, NAMELY:

THE AUTHORITIES OF THE FREE CITY OF WEST BERLIN WILL THEMSELVES DETERMINE -- GUIDED BY THEIR INTERNAL LEGISLATION AND BY THE PROVISIONS OF THE STATUTE OF THE FREE CITY -- WHO MAY OR MAY NOT VISIT THAT CITY. PERSONS GOING TO OR DEPARTING FROM WEST BERLIN WILL BE REQUIRED TO COMPLY WITH ESTABLISHED INTERNATIONAL PRACTICE AND WITH THE FORMALITIES REGISTERED IN APPROPRIATE AGREEMENTS BETWEEN WEST BERLIN AND THE GERMAN DEMOCRATIC REPUBLIC.

THE FREE TRANSIT OF FREIGHT, GOODS, BAGGAGE AND MAIL WILL ALSO BE EFFECTED UNDER APPROPRIATE AGREEMENTS WITH THE GDR, AND ON THE BASIS OF GENERALLY ACCEPTED INTERNATIONAL PRACTICE.

5. MILITARY TRAFFIC, TO ENTER WEST BERLIN OR TO DEPART THEREFROM THROUGH THE TERRITORY OF THE GDR VIA LAND ROUTES, THE PERSONNEL OF THE MILITARY CONTINGENTS REFERRED TO IN PARAGRAPH 3, WILL SHOW THE AUTHORITIES OF THE COUNTRY OF TRANSIT DOCUMENTS CERTIFYING THAT THE PERSONS AND FREIGHT IN QUESTION BELONG TO THE TOKEN CONTINGENTS. FOR THEIR PART, THE SAID PERSONNEL WILL UNDERTAKE TO COMPLY WITH THE LAWS AND PROCEDURES OF THE COUNTRY OF TRANSIT, AND WITH THE SANITARY AND OTHER RULES GENERALLY ACCEPTED IN INTERNATIONAL PRACTICE. THE VOLUME OF MILITARY TRAFFIC INCLUDING TRAFFIC BY MILITARY TRANSPORT AIRCRAFT, WILL BE DETERMINED BY THE ACTUAL NEEDS OF THESE CONTINGENTS.

6. IN ORDER TO ASSURE THE FREEDOM OF ACCESS TO AND DEPARTURE FROM WEST BERLIN A SPECIAL INTERNATIONAL ACCESS AUTHORITY WILL ACT AS AN ARBITER IN THE EVENT THAT ANY DIFFICULTIES SHOULD ARISE IN THE PRACTICAL IMPLEMENTATION OF THE AGREEMENTS ON ACCESS.

IN THE TERRITORY OF THE GDR THE SAID INTERNATIONAL AUTHORITY WILL HAVE NO ADMINISTRATIVE FUNCTIONS, NOR ANY POWERS TO DIRECTLY

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CONTROL TRAFFIC OR LAY DOWN THE RULES ON THE COMMUNICATIONS PASSING THROUGH THE TERRITORY OF THE GDR AND LINKING WEST BERLIN WITH THE OUTSIDE WORLD. HOWEVER, IN THE EVENT OF ANY COMPLICATIONS OR FRICTION ARISING IN THE COURSE OF FREE TRANSIT TO WEST BERLIN, THE INTERNATIONAL AUTHORITY WILL HAVE THE LAST WORD.

THE PARTICIPANTS IN THE INTERNATIONAL ACCESS AUTHORITY WILL BE THE USSR, THE UNITED STATES, THE UNITED KINGDOM, FRANCE, AND CERTAIN OTHER COUNTRIES, AS AGREED BY THE PARTIES.

7. THE PARTIES WILL AGREE NOT TO TRANSFER NUCLEAR WEAPONS TO THE FRG OR TO THE GDR, EITHER DIRECTLY OR THROUGH THIRD COUNTRIES OR THROUGH THE MILITARY ORGANIZATIONS IN WHICH THEY ARE MEMBERS, AND TO REFRAIN FROM THE TRANSFER TO THE GDR AND TO THE FRG OF INFORMATION NECESSARY FOR THE MANUFACTURE OF SUCH WEAPONS. THE PARTIES PROCEED FROM THE FACT THAT THE FRG AND GDR WILL, IN THEIR TURN, UNDERTAKE NOT TO MANUFACTURE NUCLEAR WEAPONS IN THEIR TERRITORIES OR IN THOSE OF OTHER STATES, AND WILL NOT SEEK TO ACQUIRE THEM BY ANY OTHER METHOD.

8. WITH A VIEW TO STRENGTHENING PEACE AND EUROPEAN SECURITY ALL STATES PARTIES TO NATO AND ALL STATES PARTIES TO THE WARSAW TREATY WILL CONCLUDE A NON-AGGRESSION TREATY WHICH WILL REGISTER THEIR MUTUAL RENUNCIATION OF THE USE OF FORCE FOR THE SETTLEMENT OF INTERNATIONAL QUESTIONS AND, NOTABLY, RENUNCIATION OF THE USE OF FORCE IN ORDER TO CHANGE EXISTING EUROPEAN BOUNDARIES.

IN CONNECTION WITH THE CONCLUSION OF A NON-AGGRESSION TREATY BETWEEN NATO AND THE WARSAW TREATY ORGANIZATION THE GOVERNMENTS OF THE FRG AND THE GDR WILL, IN ADDITION, MAKE A SPECIAL STATEMENTS, IN A BINDING FORM, TO THE EFFECT THAT THEY WILL NOT USE FORCE TO CHANGE EXISTING GERMAN FRONTIERS, INCLUDING THE FRONTIER BETWEEN THE GDR AND THE FRG, OR TO SETTLE ANY DISPUTE THAT MAY EXIST OR ARISE BETWEEN THEM.

9. IN ADOPTING THE GENERAL PRINCIPLES SET FORTH ABOVE, THE PARTIES PROCEED FROM THE FACT THAT AGREEMENT ON ALL THE MATTERS RAISED

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IN THIS DOCUMENT WILL BE REACHED SIMULTANEOUSLY, AND THAT THE PARTIES WILL CONTINUE THEIR ENDEAVORS WITH A VIEW TO THE PROMPT ELABORATION OF CONCRETE AGREEMENTS TO BE SUBMITTED FOR CONSIDERATION AND ENDORSEMENT TO THE HEADS OF GOVERNMENT.

END TEXT

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